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General Assembly
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Agenda items 34, 39, 64, 66 and 75

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Promotion and protection of the rights of children

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Security Council
Sixty-sixth year

Letter dated 11 March 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to inform you that on 8 March 2011, as a result of the ceasefire violation by the armed forces of the Republic of Armenia, from a position situated in the occupied Shikhlar village of the Agdam district of the Republic of Azerbaijan, an Armenian sniper shot Fariz Badalov, a nine-year-old resident of the village of Orta Garvand in the same district. He was wounded in the head but died before he reached hospital.

We have repeatedly stated that the Armenian side regularly and deliberately violates the ceasefire by attacking and killing not only Azerbaijani soldiers but also civilians residing in the territories adjacent to the front line. Over the last years, such violations have become more frequent and violent.

My Government strongly protests against yet another hateful and dangerous provocation of the Republic of Armenia. By the intentional killing of an Azerbaijani child and the shameless denial of its responsibility for this odious crime, the Armenian side has demonstrated once again that it feels no remorse for the senseless loss of life of a nine-year-old boy, and that moral and ethical principles of humanity are alien to it.

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Attacks against the civilians are also illustrative of the consistent disrespect by the Republic of Armenia of its obligations both under international law and within the ongoing conflict settlement process.

It is notable that the Azerbaijani child was shot dead three days after the meeting between the Presidents of the Republic of Armenia and the Republic of Azerbaijan, held in Sochi on 5 March 2011, at the invitation of the President of the Russian Federation, to pursue the dialogue between the parties on the settlement of the conflict.

The bloody action of the occupying Armenian armed forces against the defenceless Azerbaijani child can in no way contribute to the establishment of confidence between the parties and is yet another solid piece of evidence of the Republic of Armenia's unwillingness to settle the conflict by political means and in a constructive manner.

In their statement released on 9 March 2011, the Co-Chairs of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group strongly condemned any loss of life and expressed their deep concern over reports of ceasefire violations before and after the Sochi summit of 5 March. In this regard, they asked the Personal Representative of the OSCE Chairperson-in-Office to carry out an immediate investigation.

My Government expresses its hope for an objective and thorough investigation of the incident that caused the death of Fariz Badalov and for subsequent resolute measures aimed at bringing those responsible for this crime to justice. I have also been instructed to call upon the States Members of the United Nations to condemn the Republic of Armenia for systematic violations of the ceasefire regime and deliberate attacks on Azerbaijani civilians.

It is absolutely clear that, for the purposes of lasting peace, security and stability, the Republic of Armenia must, in the first place, cease its provocative and hostile policy, put a prompt end to its aggression and withdraw all its armed forces from all the occupied territories of the Republic of Azerbaijan, thus enabling Azerbaijani internally displaced persons to return to their homes.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 64, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

United Nations S/2011/133

Security Council

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Letter dated 14 March 2011 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General

I have the honour to convey herewith, at the request of the delegation of the European Union, the text of the declaration adopted by the extraordinary session of the European Council, held on 11 March 2011 in Brussels (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Csaba **Kőrösi**
Ambassador and Permanent Representative of the
Republic of Hungary to the United Nations

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Annex to the letter dated 14 March 2011 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General

Declaration of the European Council

1. The European Council met today in an extraordinary session to discuss developments in Libya and the southern neighbourhood region and set the political direction and priorities for future European Union policy and action.

2. Democratic uprisings are bringing dramatic changes to the southern neighbourhood region, creating a new hope and opportunity to build a future based on democracy, pluralism, the rule of law, human rights and social justice. Progress and democracy go hand in hand. The European Council salutes the courage demonstrated by the people of the region and reaffirms that it is for them to decide their future through peaceful and democratic means.

3. All countries in the region need to undertake or accelerate political and economic reforms. The European Union will support all steps towards democratic transformation, political systems that allow for peaceful change, growth and prosperity, and a more proportionate distribution of the benefits of economic performance. In this respect, the European Council warmly welcomes the announcement by the King of Morocco of the establishment of a consultative committee to prepare a revision of the constitution to be submitted to the approval of the Moroccan people. Progress by partners towards transformation will drive European Union support. Developing strong democratic institutions being one of the key objectives, increased parliamentary links between Europe and the region are of paramount importance.

4. Concerning Tunisia, the European Council welcomes the announcement that elections for a constituent assembly will be held on 24 July 2011. In close consultation with the Tunisian authorities, the European Union is ready to provide the necessary support in this regard, including through advanced status for Tunisia. As soon as the Tunisian authorities are ready, the European Union is willing to offer support to tackle the economic and social challenges faced by Tunisia. The European Union will remain engaged in the long term, with the aim of promoting economic and social development. The solidarity shown by the Tunisian people with the people fleeing from Libya deserves the highest praise and support.

5. The European Council supports the democratic transition in Egypt. It welcomes the timely delivery of the first proposals for amending the constitution and encourages the Egyptian authorities to continue in their commitment to political reform and to create an environment for thorough democratic transition, including by lifting the state of emergency. The European Union is ready to mobilize its full support in line with priorities of the Egyptian people and has started a dialogue with the recently appointed Egyptian government.

6. The situation in Libya remains a cause for grave concern. We express our strong solidarity with the Libyan people and the victims. We firmly condemn the violent repression the Libyan regime applies against its citizens and the gross and systematic violation of human rights. We welcome United Nations Security Council resolution 1970 (2011) and the referral of the situation in Libya to the International

Criminal Court. The use of force, especially with military means, against civilians is unacceptable and must stop immediately. The safety of the people must be ensured by all necessary means. The European Council expresses its deep concern about attacks against civilians, including from the air. In order to protect the civilian population, Member States will examine all necessary options, provided that there is a demonstrable need, a clear legal basis and support from the region. Those responsible will be held accountable and face grave consequences. We will work with the United Nations, the Arab League, the African Union and our international partners to respond to the crisis. We call for the rapid holding of a summit between the Arab League, the African Union and the European Union.

7. Colonel Khadafi must relinquish power immediately. His regime has lost all legitimacy and is no longer an interlocutor for the European Union. The European Union has adopted restrictive measures against the country's leadership and against entities holding sizeable assets controlled by the regime and stands ready to adopt further sanctions.

8. The objective is for Libya to rapidly embark on an orderly transition to democracy through a broad-based dialogue. The European Union welcomes and encourages the interim transitional national council based in Benghazi, which it considers a political interlocutor. The European Union stands ready to help Libya build a constitutional state and develop the rule of law. It is ready to respond to requests from the Libyan people to assist the restart of the Libyan economy.

9. The humanitarian emergency in Libya and at its borders is reaching worrying proportions, aggravated by the massive migration movements resulting from the events. Ensuring the safe evacuation of European Union citizens and other nationals wishing to flee the fighting remains a priority. The European Union and the Member States have mobilized humanitarian aid and are committed to further assist people in Libya and people crossing its borders, in close cooperation with the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs, the International Organization for Migration, the International Committee of the Red Cross/International Federation of Red Cross and Red Crescent Societies and non-governmental organizations. The European Union calls on all parties concerned to allow the access of humanitarian agencies and operators to any zone where aid is needed and stands ready to support their work. To this end, the European Union will enhance its coordination in order to provide coherent and effective use of assets and capabilities, in line with humanitarian principles.

10. The Member States most directly concerned by migratory movements require our concrete solidarity. The European Union and the Member States stand ready to provide the necessary support as the situation evolves. The European Union, in particular through the Frontex Hermes 2011 operation, will continue to closely monitor the impact of events on migratory movements both within and from the region. In particular, Member States are urged to provide further human and technical resources to Frontex, as required. The Commission is invited to make additional resources available. The European Council calls for rapid agreement to be reached on the regulation enhancing the agency's capabilities.

11. The European Union will consult with the countries of the region concerned on financial and technical support to improve the control and management of borders and measures to facilitate the return of migrants to their countries of origin. The European Council invites the Justice and Home Affairs (JHA) Council to meet

without delay. Furthermore, the Council, in cooperation with the Commission, is invited to submit, before the June European Council, a plan for the development of capacities to manage migration and refugee flows.

12. A comprehensive approach to migration should be promoted, consistent with the European Union's Global Approach. In this context, the European Union must also respond to the challenge of mobility and promote people-to-people contacts, using such instruments as mobility partnerships with all partners sufficiently advanced in their reform processes and cooperating in the fight against human trafficking and irregular immigration. The Commission is invited to make proposals to encourage exchanges between European and South Mediterranean youths.

13. On a more general level, existing partnership and assistance programmes will be rapidly reviewed, in close cooperation with our partners in the region, in order to better target present needs. In this context, the Commission and the High Representative should give priority to country-focused and performance-based approaches.

14. Looking to the medium-term, the European Council calls for a new partnership with the region, in line with its declaration of 4 February 2011. In this respect, it broadly welcomes the joint communication from the Commission and the High Representative proposing a Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, based on a differentiated and incentive-based approach bringing together all European Union instruments. Such a partnership should also be founded on deeper economic integration, broader market access and political cooperation. It calls on the Council to rapidly examine the proposals contained in the communication and in particular the conditions under which the European Union's support to its partners could be enhanced. It looks forward to their forthcoming communication on the European Neighbourhood Policy.

15. It will also be crucial to provide the countries with the means to rebuild and modernize their economies. Economic development and job prospects, especially for youth, are of paramount importance to stabilize democracy. The Council should urgently agree on pending proposals on pan-Euro-Mediterranean rules of origin and the Commission is invited to present proposals on further means to enhance trade and foreign direct investment in the region in the short-, medium- and long-term. It is also urgent to revitalize the tourism sector in the region. The Council should rapidly consider the Commission's proposals on European Investment Bank (EIB) reflows and look at further possibilities to increase the EIB's overall financial support capacity. Coordination with other international financial institutions is important.

16. Drawing the lessons from what has happened, the European Union also stands ready to review the missions of the Union for the Mediterranean, with the objective of promoting democracy and fostering stability in the region. A new push should be given to concrete measures and projects so as to strengthen democratic institutions, freedom of expression, including unhindered access to the Internet, reinforce civil societies, support the economy, reduce poverty and address social injustice.

17. The European Union is conscious of the wider political and economic impact of these events on the wider region and calls for reactivating the Middle East Peace Process.